UNITED
NATIONS

A S

General Assembly
Security Council

Distr.
GENERAL

A/48/274
S/26125
20 July 1993

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-eighth session
Item 115 (c) of the preliminary list*
HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS
SITUATIONS AND REPORTS OF SPECIAL
RAPPORTEURS AND REPRESENTATIVES

SECURITY COUNCIL
Forty-eighth year

Letter dated 20 July 1993 from the Permanent Representative of Croatia to the United Nations addressed to the Secretary-General

I have the honour to enclose herewith a reply from the Government of the Republic of Croatia (see annex) to the charges made in the document entitled "Memorandum on the violation of human rights in the Serb community of Gorski Kotar in the Republic of Croatia", which was contained in the annex to a letter dated 24 May 1993 addressed to you by the Chargé d'affaires a.i. of the Permanent Mission of the Socialist Federal Republic of Yugoslavia to the United Nations and circulated as an official document of the General Assembly and of the Security Council (A/48/176-S/25834, annex).

I would be grateful if you would have the text of the present letter and its annex circulated as an official document of the General Assembly, under item 115 (c) of the preliminary list, and of the Security Council.

(Signed) Mario NOBILO
Ambassador
Permanent Representative

* A/48/50.

ANNEX

Reply of the Government of Croatia to the document entitled "Memorandum on the violation of human rights in the Serb community of Gorski Kotar in the Republic of Croatia", contained in the annex to document A/48/176-S/25834

The "Memorandum on the Violations of Human Rights in the Serb Community of Gorski Kotar in the Republic of Croatia" which was deposited with the "Yugoslav State Commission on War Crimes and Genocide" and submitted to the General Assembly and the Security Council by the Charge d'affaires of the Permanent Mission of the Socialist Federal Republic of Yugoslavia to the United Nations contains false statements and half-truths as well as dubious assertions and incorrect demographic claims. Its intent is to create a false perception of the behavior of the Croatian Government towards the Serbian minority living within the Republic of Croatia.

The claims that the Serbian minority in the Croatian region of Gorski Kotar is endangered and that, therefore, the region should be incorporated into the so-called pink zones under UN protection, is simply a veiled call for separating this region, which has a Croat majority, from the Republic of Croatia and placing it under Serbian occupation. Such calls can only be seen as preludes to attempts at territorial conquest and a threat to the territorial integrity and sovereignty of the Republic of Croatia.

Contrary to claims made in the above-mentioned Memorandum, there has never been any economic, traffic, or information blockade of the area in question. The flow of people and goods is free for both Serbs and Croats. The allegations that the position of Serbs in the area has deteriorated, since the departure of the Rijeka Corps of the ex-Yugoslav Army, are false. The truth is that back in June 1991, the same Army gave weapons to the Serbs for "self-protection". As witnessed by the Vrbovsko Agreement, no ultimatum for the surrender of arms under duress was delivered to the Serbian population.

Also untrue are allegations of the arrest of Serbs in the area, infliction of damage to their property, let alone killings or expulsions. The fact that some Serbs or Serbian families have decided of their own free will to leave for the so-called Krajina or the Republic of Serbia is perfidiously described as forced departures.

Further slandering of Croatian authorities and some members of the Croatian leadership is committed by allegations of forced mobilization of Serbs, renaming of places with sizeable Serbian population, prevention of Serbian children from attending school, complete annihilation of Serbian villages and the like. After all, the representatives of the CSCE Rapporteur Mission, who visited the area last year, as well as a number of other representatives of international humanitarian organizations, who inspected the area of Vrbovsko, Ogulin and Otocac, could see for themselves how false these or similar allegations are.

To give a better idea of what the situation in Gorski Kotar is really like, below are some facts related to the developments referred to in the Memorandum forwarded to the UN Security Council on 23 May 1993, by the Yugoslav Charge d'affaires to the UN.

- Ogulin district comprises the greater part of the valley of Ogulin and Plasce, which, together with Gorski Kotar and Lika, make up the region of the Croatian Highlands. According to the 1991 census, the population of these areas consisted of 29,095 inhabitants scattered in 82 settlements(17,966 Croats - 56.9%, 10,200 Serbs - 32.8% and others). The share of the Serbian population in Vrbovsko district is 35%, mostly in the places of Gomirje and Srpske Moravice.

- The aggression against Croatia has obliterated virtually all traces of Saborsko together with the villages of Borik, Tuk, Varos, Brdine, Funtana, Biljevina, Lug, Kuselj and Corkova Uvala, where 329 family houses and farmhouses were burned down or demolished and the local population cruelly murdered or expelled. According to the 1991 census, Saborsko had 852 inhabitants (800 Croats, 18 Serbs, 5 Yugoslavs and 29 nationally undeclared); the villages of Josipdol and Modrus, Pavlizi, Cerovnik, Turkalji. Modruski Sabljaci, Mateskovici and others have been razed to the ground. The expelled villagers were subsequently given shelter in the area of the previous Ogulin District.

- Before attacking Croatia, the ex-Yugoslav army distributed weapons and ammunition to the Serbian population in the area. According to the information obtained in the field, the local Serbs received about 1,600 barrels (82 and 102 mm mortars) and were the first to put up village sentinel posts and barricades on the access roads to their villages. Following the Jasenak agreement of 10 July 1992, the Serbs returned 114 pieces of armament from Jasenak and Dreznica, 5 from Brestovac, 9 from Muslinski Potok, 6 from Vitunj, totalling 134 pieces of armament plus 4,301 bullets. The same agreed surrender of weapons took place in other local communities, alhough the entire quantity of weapons which had been distributed by the ex-Yugoslav Army has not been returned to Croatian authorities.

- Since the beginning of the armed conflicts, five young men of Serbian nationality from this area were called to service in the Croatian Army and all of them responded favorably. As part of the mobilization, in early August 1992, for the 143rd Ogulin Brigade, 31 citizens of Serbian nationality were requested to make their vans available. Nine of them complied, whereas others stated in writing that their vehicles were defective.

- After the influx of about 700,000 refugees and displaced persons to Croatia, a need arose to open the "Bjelolasica" Recreational Center in Jasenak for their accommodation. No ultimatum was given to the Jasenak villagers by the Ogulin authorities. The truth is that the Serbs from Jasenak wanted to show their loyalty to the Croatian state. The result was that the Center received 661 displaced persons from Croatia in May 1992. Their present number is 552. It should be noted that no spectacle was made of their arrival in Jasenak and that no TV-crews were sent there on that occasion. It is also not true that the Serbs provided shelter to them, because all of them were accommodated in the "Bjelolasica" Recreational Center.

- At the meeting held on 28 May 1992, at Dreznica, attended by Mr. Josip Boljkovac, there was no mention of any listing of Serbian men, potential conscripts, aged 16 to 60, as alleged in the Memorandum. Nor does Mr. Boljkovac perform the duty attributed to him.

- Similarly false is the allegation that two villages, Gornje Dubrave and Donje Dubrave, were renamed on 15 July 1992, to Gornji Tounj and Donji Tounj. According to the 1991 census, Gornje Dubrave had 15 and Donje Dubrave 207 inhabitants, therefore, claiming that 500 to 800 elderly Serbs live in these villages is not true. Also untrue is that, on 5 September 1992, the place of Srpske Moravice was renamed. This could easily be checked by viewing official documents.

- In compliance with the agreements and requests by the representatives of Dreznica, Jasenak, M. Potok, and Bjelsko and in the interest of the local Serbs who asked for protection against extremist Serbian individuals, the Jasenak Police Station was formed and still operates (14 Croatian and 11 Serbian officers).

- Following the administrative reorganization, the city of Ogulin comprises the local communities of Dreznica, Jasenak, M. Potok, Brestovac, Vitunj, and Ponikve and the Josipdol district comprises the area of Gornje Dubrave and Donje Dubrave.

- The Memorandum also spreads false information when it says that no Serb from the "Serbian enclave" in Gorski Kotar holds a public post. The fact is that the Ogulin police station, municipal administration and hospital alone employ more than 160 citizens of Serbian nationality.

- While it is generally known among the Croats and Serbs living in the area of Ogulin that the Ogulin hospital treats their patients of all nationalities equally, it should be noted that all chief doctors there (surgeons, X-ray specialist, gynecologist, psychiatrist, etc.) are Serbs.

- The allegation that 300 Croats have recently settled in the area of Jasenak is a fabrication because no Croat has come to live in that area since the beginning of armed conflict.

- On 17 November 1992, 12 members of the Serbian Democratic Party (SDS) from Josipdol were brought for questioning to the Ogulin police station, suspected of possessing arms received from the ex-Yugoslav Army and organizing armed rebellion designed to annex Josipdol to Plaski. During a break in the questioning procedure, they were held on the restaurant premises of Ogulin police station. Mladen Puskaric burst in uninvited, opened machine-gun fire on them and killed Bozo Mandic and Dusan Plecas and mortally wounded Nikola Papic who later died in the hospital. The special unit guards who kept the men in custody prevented Puskaric from continuing the slaughter. For this grave crime, Puskaric was sentenced to an imprisonment of eight years.

- It should be pointed out that the Orthodox religious service in this area is practiced in a normal and free manner and that, consequently, the allegation about a prohibition to celebrate the Serbian religious holiday of St. Sava is a lie. This can be corroborated by the fact that two Orthodox priests are resident in the Vrbovsko area and that they regularly perform their religious duties and enjoy all rights as citizens of the Republic of Croatia (documents on citizenship, passports, driving licenses, etc.)

- A significant role in the Memorandum is given to the documentation of Ljubica Carevic from Srpske Moravice regarding her application for obtaining personal documents. The respective file at the Ministry of the Interior shows that the procedure was conducted in accordance with current regulations. The allegations that Ljubica Carevic and her family were harassed and thus forced to leave Srpske Moravice are entirely false, because as early as August 1991, they left Croatia of their own free will and settled in Serbia.